

IN THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

2013-5019

Alley's of Kingsport, Inc., Arrow Ford, Inc., Axelrod Chrysler Dodge Jeep, Inc., Axelrod Chrysler, Inc., Barry Dodge Inc., Bennett AutoPlex Inc., Benson Motor Inc., Bob Taylor Jeep, Inc., Bondy's Ford, Inc., Brother's Motors, Inc., Cardenas Motors, Inc., Carson Automotive Inc., CDOHY, Inc., Crain CDJ, LLC, Cunningham Chrysler Jeep, Inc., Curfin Investments, Inc., DET Automotive Group, Inc., DJ-Mack Inc., Don Phillips & Son Sr. Enterprises, Inc., Douglas Automotive Group, Inc., Ertley Chrysler Jeep Dodge, LLC, Fitzgerald Auto Malls, Inc., FT Automotive II, LLC, FT Automotive IV, LLC, G.K. Alcombrack, Inc., Golden Motors, Inc., Hahn Motor Company, Hoover Motors Holding Co., Inc., Hoover Dodge, Inc., I.M. Jarrett & Son, Inc., Jeff Hunter Motors, Inc., Johnson County Motors, L.C., Bill Kay Suzuki, Inc., Kingston Dodge, Inc., LFCJ, Inc., Mancari's of Orland Hills, Inc., Marketplace Suzuki, Inc., Marstaller Motors, Inc., Melchiorre, Inc., Miller-Campbell Company, Miller Motor Car Corporation, Milner O'Quinn Chrysler Dodge Jeep, Inc., Morong Brunswick, Neil Huffman Enterprises, Inc., Neil Huffman, Inc., Painter Sales and Leasing, Painter's Sun Country Chrysler, Inc., Pen Motors, Inc., Pleasant Valley Motors, Inc., Preston Chrysler Jeep, Inc., Pride Chrysler Jeep, Inc., Reuther Dodge LLC, Reuther's Investment Company, RFJS Company, LLC, SCK, Inc., Scotia Motors, Inc., Shoemaker Auto Group, Inc., South Shore Auto lines, Inc., Star Chrysler, Inc., Tamaroff 12 Mile Motors, Inc., Tarbox Chrysler Jeep, LLC, Tarbox Motors Inc., Tenaflly Chrysler Jeep, Inc., The Union Sales Company, Thomas Sales & Service, Inc., Verona Motor Sales, Inc., Waco Dodge Sales, Inc., Walker Motors, Inc., Westminster Dodge, Inc., Wheaton Motor City, Inc., Wheeler Leasing Co. II, Inc., Whitey's, Inc., William T. Pritchard, Inc., Wyckoff Chrysler, Inc., Young Volkswagen, Inc., A&D Auto Sales, Inc., Archer Chrysler Jeep West, Inc., Archer Chrysler Plymouth, Inc., Archer Dodge, Inc., Archer Financial Holdings, Inc., Boardwalk Auto Center, Inc., Bob Luegers Motors, Inc., Bob Rohrman Motors, Inc., Burke Automotive Group, Inc., Burke Brothers, Inc., By Fishel's Jeeps, Inc., Carson CJ, LLC; Century Dodge, Inc., Chilson, Inc., Clarkston Motors, Inc., Coleman Auto Group, Inc., Coleman Chrysler Jeep, Inc., Country Motors, Inc., Dave Croft Motors, Inc., Dodge of Englewood, Inc., Don Drennen Chrysler Jeep, Inc., Donato & Son's Jeep, Inc., EJE, Inc., El Dorado Motors, Inc., Elhart Dodge, Inc., Elhart Pontiac-GMC Truck, Inc., Fort Morgan Auto Center, Inc., Fox Hills

Motor Sales, Inc., Grayson Pontiac, Inc., Gresham Chrysler Jeep, Inc., Grubbs Nissan Mid-Cities Limited, Hamilton Chrysler, Inc., Harvey M. Harper Co., Island Jeep, Inc., James W. Halterman, Inc., Jelmac LLC, Jim Marsh American Corporation, John Cullen Dodge, LLC, Kitagawa Motors, Inc., Kovatch Ford, Inc., Lee Peterson Motors, Inc., Lenihan Jeep, Inc., Livonia Chrysler Jeep, Inc., Lunt Motor Company, Manuel Dodge, Ltd., Matt Montgomery, Inc., Matthews Chrysler, Inc., Mt. Clemens Dodge, Inc., New City Auto Sales, Inc., Northglenn Dodge, Inc., Quality Jeep-Chrysler, Inc., Rhoden Auto Center, Inc., Richard Chrysler Jeep, Inc., Riverside Auto Sales of Marquette, Inc., Rock of Texas Automotive, Inc., Rohr-Alpha Motors, Inc., Scott Chevrolet, Inc., Siemans Imports, Inc., Southeast Automotive, Inc., Taylor & Sons, Inc., Ted Britt of Fredericksburg, Inc., Teton Motors, Inc., Tomsic Motor Company, Transit LLC, Tri-State Automotive Associates, Inc., Urka Auto Center, Inc., Valley Dodge, Inc., Vic Osman Lincoln-Mercury, Inc., Village Chrysler Jeep, Inc., Wallace Chrysler Jeep, LLC, Westside Dodge, Inc., Wright Dodge, LLC, and Lou Bachrodt Chevrolet, Inc.,

Plaintiffs-Appellees,

v.

UNITED STATES,

Defendant-Appellant.

Appeal from the United States Court of Federal Claims in
Case No. 11-100C, Senior Judge Robert H. Hodges

**UNOPPOSED MOTION OF PLAINTIFFS-APPELLEES
FOR ENLARGEMENT OF TIME**

Plaintiffs-Appellees, Alley's of Kingsport and 147 other former Chrysler dealerships (collectively, "Terminated Dealers"), request a 30-day enlargement of time within which to file their Response to the Opening Brief of Defendant-

Appellant, the United States. The Terminated Dealers' responsive brief is currently due on April 12, 2013; with this enlargement, their brief will be due May 13, 2013.¹ The Terminated Dealers have not previously sought any enlargements of time for this purpose. The Government does not oppose this motion.

Counsel for Terminated Dealers seeks this enlargement in order to allow them to coordinate with their legal team and clients for comments and review during the course of the preparation of this response. In addition, because the briefing of this case is linked with a companion case, *Colonial Chevrolet Co., Inc. v. United States*, No. 13-5020, counsel will need more time than is usually required for preparing a response to coordinate with counsel for the companion case in preparing their brief. Finally, the issues in this appeal are crucially important for these Terminated Dealers whose entire businesses were wiped out by Government fiat. The many challenges raised to these claims by the Government in this appeal necessitate additional time in order to prepare a thoughtful and thorough response.

For all these reasons, Terminated Dealers ask for a 30-day enlargement of time—from April 12, 2013 to May 13, 2013—to file their Response to the Government's Opening Brief.

¹ 30 days from April 12, 2013 is May 12, 2013, a Sunday. Under FRAP 26, the Terminated Dealers' responsive brief would be due the next business day, Monday, May 13, 2013.

Respectfully submitted,

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